

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: C. R. BARD, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2187

THIS DOCUMENT RELATES TO THE CASES
ON THE EXHIBIT ATTACHED HERETO

ORDER

(Dismissing Defendants C. R. Bard, Inc. and Covidien Entities with Prejudice
And Transferring Cases to MDL 2327)

Pending in MDL 2187, 2:10-md-2187 [ECF No. 4723], is a Joint Motion to Dismiss Certain Defendants with Prejudice filed by plaintiffs, identified on the attached Exhibit A, and to the extent they are named, C. R. Bard, Inc., (“Bard”), and Sofradim Production SAS,¹ Tissue Science Laboratories Limited,² and Covidien LP³ (collectively the “Covidien entities”). The parties are seeking dismissal of Bard and

¹ Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

² Tissue Science Laboratories Limited includes any incorrect or incomplete spelling of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

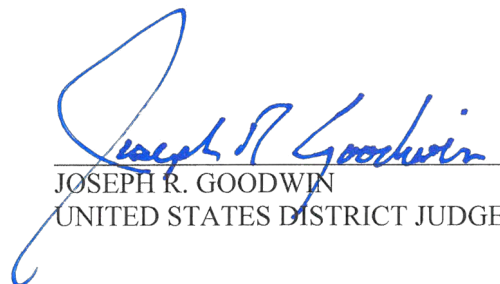
³ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, Medtronic International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

the Covidien entities from these actions with prejudice because all claims between them have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. Also pending is Plaintiffs' Motion to Transfer MDLs for these cases [ECF No. 4723].

After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss Certain Defendants with Prejudice is **GRANTED**. It is further **ORDERED** that the Motion to Transfer MDLs is **GRANTED**. Plaintiffs' counsel states in the Motion to Transfer that Amended Short Form Complaints will be filed within 14 days of the filing of the Motion. To the extent Amended Short Form Complaints have not been filed, Plaintiffs' Counsel is **DIRECTED** to file the appropriate Amended Short Form Complaints within the time frame outlined in the Motion. Defendants Bard and Covidien are **DISMISSED WITH PREJUDICE** as defendants in the actions listed in Exhibit A, these actions are **TRANSFERRED** to MDL 2327, and the Clerk is **DIRECTED** to disassociate these civil actions as member cases in MDL 2187 and re-associate them with MDL 2327.

The court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-2187 and in the individual cases listed on the attached Exhibit A.

ENTER: November 13, 2017



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A – CLARK LOVE & HUTSON

| CIVIL ACTION NUMBER (listed numerically in ascending order) | CASE NAME |
|---|-------------------------------------|
| 2:14-cv-00342 | Bunce, Richalee |
| 2:14-cv-02063 | Johnston, Maureen A. and Michael B. |
| 2:14-cv-08546 | Fatheree, Connie |
| 2:14-cv-08555 | Lesch, Margaret W. |
| 2:15-cv-04349 | Kor, Joan Ellen and Keith A. |
| 2:15-cv-05085 | Brand, Faye |
| 2:15-cv-08494 | Jackson, Victoria |
| 2:15-cv-12224 | Mantsch, Patricia M. |
| 2:15-cv-12283 | Young, Betty Jean and Marsha Wenzel |
| 2:15-cv-13450 | Jones, Glinde A. and David |